



Rep. Larry McKeon

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09400HB0904ham003

LRB094 07005 DRJ 43647 a

1 AMENDMENT TO HOUSE BILL 904

2 AMENDMENT NO. _____. Amend House Bill 904, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 3, after line 1, by inserting the following:

5 "Section 10. The Illinois Pension Code is amended by
6 changing Section 6-151.1 as follows:

7 (40 ILCS 5/6-151.1) (from Ch. 108 1/2, par. 6-151.1)

8 Sec. 6-151.1. The General Assembly finds and declares that
9 service in the Fire Department requires that firemen, in times
10 of stress and danger, must perform unusual tasks; that by
11 reason of their occupation, firemen are subject to exposure to
12 great heat and to extreme cold in certain seasons while in
13 performance of their duties; that by reason of their employment
14 firemen are required to work in the midst of and are subject to
15 heavy smoke fumes and carcinogenic, poisonous, toxic or
16 chemical gases from fires; and that in the course of their
17 rescue and paramedic duties firemen are exposed to disabling
18 infectious diseases, including AIDS, hepatitis E, and stroke.
19 The General Assembly further finds and declares that all the
20 aforementioned conditions exist and arise out of or in the
21 course of such employment.

22 Any active fireman who has completed 7 or more years of
23 service and is unable to perform his duties in the Fire
24 Department by reason of heart disease, tuberculosis, any

1 disease of the lungs or respiratory tract, AIDS, hepatitis €,
2 or stroke resulting from his service as a fireman, shall be
3 entitled to receive an occupational disease disability benefit
4 during any period of such disability for which he does not have
5 a right to receive salary.

6 Any active fireman who has completed 7 or more years of
7 service and is unable to perform his duties in the fire
8 department by reason of a disabling cancer, which develops or
9 manifests itself during a period while the fireman is in the
10 service of the department, shall be entitled to receive an
11 occupational disease disability benefit during any period of
12 such disability for which he does not have a right to receive
13 salary. In order to receive this occupational disease
14 disability benefit, the type of cancer involved must be a type
15 which may be caused by exposure to heat, radiation or a known
16 carcinogen as defined by the International Agency for Research
17 on Cancer.

18 Any fireman who shall enter the service after the effective
19 date of this amendatory Act shall be examined by one or more
20 practicing physicians appointed by the Board, and if that
21 examination discloses impairment of the heart, lungs, or
22 respiratory tract, or the existence of AIDS, hepatitis €,
23 stroke, or cancer, then the fireman shall not be entitled to
24 receive an occupational disease disability benefit unless and
25 until a subsequent examination reveals no such impairment,
26 AIDS, hepatitis €, stroke, or cancer.

27 The occupational disease disability benefit shall be 65% of
28 the fireman's salary at the time of his removal from the
29 Department payroll. However, beginning January 1, 1994, no
30 occupational disease disability benefit that has been payable
31 under this Section for at least 10 years shall be less than 50%
32 of the current salary attached from time to time to the rank
33 and grade held by the fireman at the time of his removal from
34 the Department payroll, regardless of whether that removal

1 occurred before the effective date of this amendatory Act of
2 1993.

3 Such fireman also shall have a right to receive child's
4 disability benefit of \$30 per month on account of each
5 unmarried child who is less than 18 years of age or
6 handicapped, dependent upon the fireman for support, and either
7 the issue of the fireman or legally adopted by him. The total
8 amount of child's disability benefit payable to the fireman,
9 when added to his occupational disease disability benefit,
10 shall not exceed 75% of the amount of salary which he was
11 receiving at the time of the grant of occupational disease
12 disability benefit.

13 The first payment of occupational disease disability
14 benefit or child's disability benefit shall be made not later
15 than one month after the benefit is granted. Each subsequent
16 payment shall be made not later than one month after the date
17 of the latest payment.

18 Occupational disease disability benefit shall be payable
19 during the period of the disability until the fireman reaches
20 the age of compulsory retirement. Child's disability benefit
21 shall be paid to such a fireman during the period of disability
22 until such child or children attain age 18 or marry, whichever
23 event occurs first; except that attainment of age 18 by a child
24 who is so physically or mentally handicapped as to be dependent
25 upon the fireman for support, shall not render the child
26 ineligible for child's disability benefit. The fireman
27 thereafter shall receive such annuity or annuities as are
28 provided for him in accordance with other provisions of this
29 Article.

30 (Source: P.A. 93-654, eff. 1-16-04.)".